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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/750,732 | 01/02/2004 | Leonard Felix | SEC0001 | 1376 |
| 7590 | 06/28/2005 | | EXAMINER | |
| Gerald Maliszewski Law Office of Gerald Maliszewski P.O. Box 270829 San Diego, CA 92198-2829 | | | | TRAN, HOAN H |
| | | ART UNIT | | PAPER NUMBER |
| | | 2852 | | |

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/750,732 | FELIX, LEONARD |
| | Examiner | Art Unit |
| | Hoan H. Tran | 2852 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-5,8-17 and 20-23 is/are rejected.
- 7) Claim(s) 6,7,18 and 19 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>01/02/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 01/02/2004 has been considered by the examiner.

Specification

2. The abstract of the disclosure is objected to because it contains legal phraseology such as "comprises". Correction is required. See MPEP § 608.01(b).
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

4. New formal drawings in compliance with 37 CFR 1.121(d) are required in this application.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 8-16 and 20-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. ['758]

Anderson et al. disclose computer network [20] having a plurality of computer [22] coupled to at least one communication network [24] which further coupled to at least one printer [26] comprising a print media supply unit [52] including supply trays [54a-b], supply bins [56a-b] and mechanisms that are designed to selectively provide the requisite print media for a given print job to a print unit [Col. 5, line 5 to Col. 6, line 3]; a collator unit [62] coupled to a controller [30] via a bus [32]; plurality of output bins [66a-b]; a media routing system [Col. 6, lines 15-27], network interface [42], and user interface [44].

Regarding claims 1-4 and 8-12, the claimed method steps are inherent from the product structure.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. in view of Holzwarth et al. [US 2004/0190066]

Anderson et al., as discussed above, disclose the claimed invention except for controller

receiving collation commands in a format selected from the group of printer description language (PDL) commands including printer job language (PJL), printer control language (PCL) and PostScript (PS) commands.

Holzwarth et al. disclose printer control instructions using printer description language (PDL) including PostScript (PS) commands. [paragraph 0027]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the controller disclosed by Anderson et al. using printer description language (PDL) including PostScript (PS) commands as taught by Holzwarth et al. for the purpose of allowing the most efficient use of the printer by allowing its internal control logic to optimize the rasterization process resulting in output that is more likely to match with the user's expectations.

Regarding claim 5, the claimed method steps are inherent from the product structure.

Allowable Subject Matter

9. Claims 6, 7, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art of record teaches or suggests a method for using a printer to collate a document form preprinted pages comprising the steps of disengaging the printer fuser and creating a collated document including routing document sections from the input media tray, through the disengaged printer fuser.

Prior Art

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Farrell ['391] discloses a system for printing with ordered stock.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoan H. Tran whose telephone number is (571) 272-2141. The examiner can normally be reached from 8:30 AM - 5:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Arthur Grimley can be reached at (571) 272-2136. The central office fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



HHT
June 25, 2005

HOAN TRAN
PRIMARY EXAMINER